

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

IKON OFFICE SOLUTIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:05-cv-959-WKW
)	
MARTHA SOUTHERLAND, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

It has come to the court's attention that Plaintiff's counsel has failed to comply with the dictates of Section 3 of the Uniform Scheduling Order entered by this court on March 20, 2006. (Doc. # 21.) Section 3 requires counsel for the plaintiff to file a pleading titled "Notice Concerning Settlement Conference and Mediation" indicating whether settlement was reached at the face-to-face settlement conference, and if not, whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for the plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation within five days of the face-to-face settlement conference. Pursuant to the Uniform Scheduling Order, the parties were to have conducted that face-to-face settlement conference no later than December 18, 2006. Hence, considering Rule 6 of the Federal Rules of Civil Procedure, the Notice Concerning Settlement Conference and Mediation should have been filed no later than December 27, 2006. As of this date, no Notice Concerning Settlement Conference and Mediation has been filed.

It is hereby ORDERED that:

- a. Plaintiff's counsel shall file the Notice Concerning Settlement Conference and Mediation by **January 25, 2007**.

- b. Plaintiff's counsel must show cause by **January 25, 2007**, why he or she failed to comply with the Uniform Scheduling Order in this case.

DONE this 12th day of January, 2007.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE